

FRANCISCO X. FERNANDEZ

v.

ALBERTO GONZALES

C.A. No. 05-265-SLR

PLAINTIFF EXHIBIT LIST ATTACHED TO RESPONSE
TO GOVERNMENT'S MOTION TO DISMISS, OR TRANSFER VENUE
TO EDVA



EXHIBIT I: Plaintiff's First Amendment Right to Freedom of Expression. Memorandum sent to Mr. Tim Bucher, the Resident Agent in Charge, Wilmington, Delaware, and Philadelphia based DEA senior managers.

EXHIBIT II: Memorandum sent to Wilmington RAC, for events that occurred in Dover, Delaware leading to Plaintiff's Complaint before the court.

EXHIBIT III: Testimony provided by Mr. John McCarty, relating to the SAC Recommendation Memorandums utilized by the DEA Career Board.

EXHIBIT IV: Numerous supervisory vacancies applied to by the Plaintiff at the Miami Field Division and Dover, Delaware Office.

EXHIBIT V: EEOC Hearing testimony provided by SAC Dempsey Jones depicting the fact that Plaintiff's Personnel file was maintained at the Philadelphia Office.

EXHIBIT V (a): Email confirmation from Philadelphia Personnel Officer detailing the Plaintiff's Personnel file location.

EXHIBIT VI: EEOC Hearing transcript whereby DEA Attorney admits that DEA destroys promotion packages immediately following the DEA Career Board selections.

EXHIBIT VI (a): EEOC Hearing transcript by Mr. Walter Morrison, Career Board Secretary, attesting to the destruction of promotion packages after CB meeting.

EXHIBIT VII: Memorandums submitted from the Philadelphia Office, by SAC Dempsey Jones for three supervisory positions within the Philadelphia Division to include the Dover, Delaware Office.

EXHIBIT VIII: Career Board Minutes detailing three of the supervisory vacancies that were "selected" by the Special Agent in Charge based on his SAC Recommendation Memorandum.